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July 10, 2013

Magistrate Judge
Honorable Joseph C. Spero
USDC, Northern District of California
450 Golden Gate Avenue
Courtroom G – 15th Floor
San Francisco, CA 94102

Re: Larry Evans, et al. v. Antioch Unified School District, et al.
USCD Northern District, Case No. C13-1476-LB

Your Honor:

This office represents defendants Antioch Unified School District and Keith Rogenski in the referenced matter. Other defendants are separately represented, in recognition of potential conflicts of interest precluding the single representation of all defendants. Nevertheless, all individually named defendants are sued in their capacity as employees of defendant Antioch Unified School District.

Yesterday, plaintiffs' counsel and our office submitted a joint letter requesting a Settlement Conference date in October 2013. Today, we received a notice from your clerk scheduling a telephone conference for tomorrow.

For purposes of the Settlement Conference, the only source of funds for defendants will be defendant Antioch Unified School District and the Joint Powers Authorities with which it is associated. Accordingly, we request that all defense counsel other than our office be excused from participating in the telephonic scheduling conference tomorrow and in the Settlement Conference to be scheduled. Our office will participate in tomorrow's teleconference and will attend the Settlement Conference on behalf of defendant Antioch Unified School District, with an appropriate representative of the third party claims administrator managing the claim. We would be negotiating on behalf of all defendants. We therefore request your confirmation that the only necessary participants in tomorrow's conference call will be plaintiffs' counsel and our office and that, similarly, only plaintiffs' counsel and our office (with claims administrator) will be required to appear at the Settlement Conference. Thank you in advance for your consideration of the foregoing.

Dated: 7/10/13

Very truly yours,
All counsel must appear at tomorrow's scheduling conference.

/s/

Timothy P. Murphy

Cc: All Counsel – via Electronic Filing only

